

1634
PATENT

Case Docket No. TOYAM67.001AUS

Date: February 11, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Matsumoto
Appl. No. : 09/771,439
Filed : January 26, 2001
For : METHOD FOR SEPARATING
AND COLLECTING NUCLEIC
ACIDS
Examiner : Zitomer, Stephanie W.
Group Art Unit : 1634

I hereby certify that this correspondence and all
marked attachments are being deposited with the
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an envelope addressed to: Commissioner for
Patents, P.O. Box 1450, Alexandria, VA 22313-
1450, on

February 12, 2004

(Date)

Che Swyden Chereskin, Ph.D., Reg. No. 41,466

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed for filing in the above-identified application are:

- (X) An Information Disclosure Statement.
- (X) A PTO Form 1449 with ten (10) references.
- (X) The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 11-1410.
- (X) Return prepaid postcard.

Che Swyden Chereskin, Ph.D.

Registration No. 41,466

Agent of Record

Customer No. 20,995

(949) 760-0404



INFORMATION DISCLOSURE STATEMENT

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App. No. : 09/771,439
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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed is form PTO-1449 listing 10 references that are also enclosed.

This Information Disclosure Statement is being filed before the mailing date of a final action under 37 C.F.R. § 1.113 and before the mailing date of a Notice of Allowance under § 1.311. A certification under 37 C.F.R. § 1.97(e) is set forth below. Thus, no fee is required as set forth in 37 C.F.R. § 1.97(c).

CERTIFICATION UNDER 37 C.F.R. § 1.97(e)(1)

I hereby certify that each item of information contained in this Statement was first cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: Feb. 12, 2004

By: Che S. Chereskin

Che Swyden Chereskin, Ph.D.

Registration No. 41,466

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FORM PTO-1449

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.
TOYAM67.001AUSAPPLICATION NO.
09/771,439INFORMATION DISCLOSURE STATEMENT
BY APPLICANT

(USE SEVERAL SHEETS IF NECESSARY)

APPLICANT
MatsumotoFILING DATE
January 26, 2001GROUP
1634

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (IF APPROPRIATE)
	5,610,287	03/11/97	Nikiforov, et al.			
	5,760,130	06/02/98	Johnston, et al.			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	WO 99/20640	04/29/99	WIPO				
	EP 0 533 952 A1	03/31/93	Europe				
	EP 0 710 666 A1	05/08/96	Europe				
	EP 0 747 703 A2	12/11/96	Europe				

EXAMINER INITIAL	OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)
	Lamture, et al. "Direct Detection of Nucleic Acid Hybridization on the Surface of a Charge Coupled Device." <i>Nucleic Acids Research</i> , Vol. 22, No. 11, pp. 2121-2125, 1994.
	Marshall, et al. "DNA Chips: An Array of Possibilities," <i>Nature Biotechnology</i> , Vol. 16, pp. 27-31, January, 1998.
	Ramsay, "DNA Chips: State-of-the-Art," <i>Nature Biotechnology</i> , Vol. 16 pp. 40-44, January, 1998.
	European Search Report completed on December 15, 2003, and issued to a related foreign application

H:\DOCS\CSC\CSC-6549.DOC
021104

EXAMINER	DATE CONSIDERED
*EXAMINER: INITIAL IF CITATION CONSIDERED. WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP 609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED. INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.	